

Appln No. 09/406,844  
Amdt dated November 28, 2003  
Reply to Office Action of August 27, 2003

Docket No. CIT/K-0091

**REMARKS**

Claims 1-44 are currently pending in the above-referenced patent application. Claim 26 has been amended by way of the present Amendment.

**In the Office Action:** Claim 26 was rejected under 35 U.S.C. § 112, second paragraph. Claims 1-4, 13-22, 25, 34, 37, and 40-44 were rejected under 35 U.S.C. § 102(e) as being anticipated by Widegren et al. (U.S. Patent No. 6,374,112). Claims 5-12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Widegren et al. Claims 23-24, 26-27, and 35-36 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Widegren et al. in view of Manning et al. (U.S. Patent No. 6,519,266). Claims 28-33 and 38-39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Widegren et al. in view of Wallentin et al. (U.S. Patent No. 6,347,091).

**In reply to the rejection of claim 26 under 35 U.S.C. § 112, second paragraph, the Applicants respectfully request reconsideration.** Claim 26 has been amended to recite a “dedicated traffic channel.” This Amendment is to correct an obvious typographical error and is therefore not a narrowing amendment.

**In reply to the rejection of claims 1-4 under 35 U.S.C. § 102(e) as being anticipated by Widegren et al., the Applicants respectfully request reconsideration.** These claims recite “...attach logical channel types...to a media access control header...”

Widegren et al. (U.S. Patent No. 6,374,112) has a filing date of April 1, 1999 and claims the benefit of U.S. Provisional Application No. 60/080,548, which was filed on April 3, 1998.

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The present application was filed on September 29, 1999 and claims priority to Korean Patent Application No. 41481/1998. Korean Patent Application No. 41481/1998 was filed on October 1, 1999. As an Appendix, the Applicants have attached the certified translation of Korean Patent No. 41481/1998. Accordingly, the Applicants respectfully submit that the claim for foreign priority has been perfected. Accordingly, the disclosure of Widegren et al. (U.S. Patent No. 6,374,112) is only prior art to the extent it is supported under 35 U.S.C. § 112, first paragraph by Provisional Application No. 60/080,548. As a convenience, the Applicants have attached, as an Appendix, a copy of Provisional Application No. 60/080,548. Hereinafter, the Applicants will only refer to Provisional Application No. 60/080,548, because only disclosure in the Provisional application, which is supported in U.S. Patent No. 6,374,112, is prior art.

Provisional Application No. 60/080,548 relates to radio access in a universal mobile telephone system (UMTS). However, unlike the recitations of claims 1-4, there is no disclosure in 60/080,548 to "...attach logical channel types...to a media access control header..." In fact, there is no disclosure in 60/080,548 of "a media access control header". At least for this reason, a *prima facie* case of anticipation has not been established in the rejection of claims 1-4 under 35 U.S.C. § 102.

**In reply to the rejection of claims 13-17 under 35 U.S.C. § 102(e) as being anticipated by Widegren et al., the Applicants respectfully request reconsideration.** These claims recite "...to attach logical channel types...to a media access control header..." Widegren et al. has been discussed above. For similar reasons as discussed above, Widegren et

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al. (Provisional Application No. 60/080,548) does not disclose "...to attach logical channel types...to a media access control header..." At least for this reason, a *prima facie* case of anticipation has not been established.

**In reply to the rejection of claims 18-22, 25, 34, 37, and 40-44 under 35 U.S.C. § 102(e) as being anticipated by Widegren et al. the Applicants respectfully request reconsideration.** These claims recite "...mapping between logical channels and transport channels..."

Widegren et al. (Provisional Application No. 60/080,548) has been discussed above. However, unlike the recitations of claims 18-22, 25, 34, 37, and 40-44, there is no disclosure of "...mapping between logical channels and transport channels..." In lines 22-23 on page 31 of Provisional Application No. 60/080,548 it is stated that "...various types of bearer services are mapped by the logical link layer and RLC/MAC layer onto physical W-CDMA radio channels." However, this disclosure is different from "...mapping between logical channels and transport channels...", as recited in claims 18-22, 25, 34, 37, and 40-44. In fact, there is no disclosure of transport channels in Widegren et al. (60/080,548). At least for these reasons, a *prima facie* case of anticipation under 35 U.S.C. § 102 has not been established.

**In reply to the rejection of claims 5-12 under 35 U.S.C. § 103(a) as being unpatentable over Widegren et al., the Applicants respectfully request reconsideration.** These claims comprise the same recitations as discussed above for claims

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1-4. As discussed above, Widegren et al. (Provisional Application No. 60/080,548) does not disclose "...attach logical channel types...to a media access control header..." Accordingly, Widegren et al. (Provisional Application No. 60/080,548) does not teach or suggest all the recitations of claims 5-12. At least for this reason, a *prima facie* case of obviousness has not been established under 35 U.S.C. § 103.

**In reply to the rejection of claims 23-24, 26-27, and 35-36 under 35 U.S.C. § 103(a) as being unpatentable over Widegren et al. in view of Manning et al., the Applicants respectfully request reconsideration.** These claims comprise the same recitations as discussed above for claims 18-22, 25, 34, 37, and 40-44. As discussed above, Widegren et al. (Provisional Application No. 60/080,548) does not disclose "...mapping between logical channels and transport channels..."

Manning et al. (U.S. Patent No. 6,519,266) relates to layering of wireless packet data service. Manning et al. (U.S. Patent No. 6,519,266) was filed on December 22, 1998 and claims the benefit of Provisional Application No. 60/070,407, filed on January 5, 1998. The present application has perfected foreign priority date of October 1, 1998. Accordingly, only the disclosure in Manning et al. (U.S. Patent No. 6,519,266) that is supported by Provisional Application No. 60/070,407 under 35 U.S.C. § 112, first paragraph is prior art. A copy of Provisional Application No. 60/070,407 is attached as an Appendix.

Unlike the recitations of claims 23-24, 26-27, and 35-36, there is no disclosure in Manning et al. (Provisional Application No. 60/070,407) of "...mapping between logical

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channels and transport channels...” On pages 10 and 23 of Provisional Application No. 60/070,407 there is disclosure of “logical to physical channel mapping”. However, logical to physical channel mapping is unlike “...mapping between logical channels and transport channels...” In fact, there is no disclosure of transport channels in Provisional Application No. 60/070,407. At least for these reasons, a *prima facie* case of obviousness has not been established under 35 U.S.C. § 103.

**In reply to the rejection of claims 28-33 and 38-39 under 35 U.S.C. § 103(a) as being unpatentable over Widegren et al. in view of Wallentin et al., the Applicants respectfully request reconsideration.** These claims comprise the same recitations as discussed above for claims 18-22, 25, 34, 37, and 40-44. As discussed above, Widegren et al. (Provisional Application No. 60/070,407) does not disclose ...mapping between logical channels and transport channels...”

Wallentin et al. (U.S. Patent No. 6,347, 091) relates to a method and apparatus for dynamically adapting a connection state in a mobile communication system. Wallentin et al. (U.S. Patent No. 6,347,091) was filed on November 6, 1998, and is a continuation-in-part of application No. 09/099,773, which was filed on June 19, 1998. The filing date of Wallentin et al. (U.S. Patent No. 6,347,091) is after the perfected priority date of the present application. Accordingly, Wallentin et al. (U.S. Patent No. 6,347,091) is only prior art to the extent it is supported under 35 U.S.C. § 112, first paragraph by application Serial No. 09/099,773. Patent Application Serial No. 09/099,773 issued as Wallentin et al. (U.S. Patent

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No. 6,594,238). Hereinafter, Wallentin et al. will be referred only to U.S. Patent No. 6,594,238, as only the disclosure of this patent is prior art.

Wallentin et al. (U.S. Patent No. 6,594,238) contains no disclosure of "...mapping between logical channels and transport channels..." At least for this reason, the disclosure Wallentin et al. (U.S. Patent No. 6,594,238) does not alleviate the deficiencies of the disclosure of Widegren et al. (Provisional Application No. 60/080,548). At least for these reasons, a *prima facie* case of obviousness under 35 U.S.C. § 103 has not been established.

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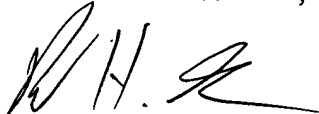
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**CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, Daniel H. Sherr, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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